-

-

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION No.16834 of 2005

-

DATED:04-08-2005

-

Between:

1. Varikuti Kasamma, w/o. Veera Venkata
Satyanarayana, Occ: House wife,
Resident of Padala Village, Tadepalligudem
Mandal, West Godavari District
and seven others ……Petitioners

AND

1. The District Collector,
West Godavari District, Eluru
and two others ……Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.16834 of 2005

ORDER:

This writ petition is filed to declare the action of respondents 1 and 2 in not convening the meeting under Rule 3 of the Rules made under G.O.Ms.No.200, Panchayat Raj & Rural Development (Mandal-1) dated 28.04.1998 on the motion notice dated 27.06.2005 issued by the petitioners for want of confidence in the third respondent, as illegal and arbitrary.

The facts of the case, in brief, are as follows:

The petitioners are the elected members of Gram Panchayat, Padala, Tadepalligudem Mandal, West Godfavari District. The third respondent was elected as Upa-Sarpanch and that he has been acting against the interest of the Gram Panchayat. As per the Rules prescribed in G.O.Ms.No.200 dated 28.04.1998, the petitioners moved a motion for want of confidence in the third respondent before the Revenue Divisional Officer, Eluru, the second respondent, on 27.06.2005. Thereafter, the second respondent issued notice on 04/07/2005 to all the members for the proposed vote of no confidence to be held on 23.07.2005. The petitioners and others attended the meeting, but it was adjourned. Subsequently, the petitioners approached the first respondent to issue fresh notice. However, no notice was issued to convene a meeting for consideration of motion. Hence, this writ petition.

Heard both the counsel.

The grievance of the petitioner is that despite their approach to the second respondent with a request to issue fresh notice, the same was not considered so far.

It is submitted by the learned Government Pleader that in pursuance of the notice dated 04.07.2005, a meeting was conducted on 23.07.2005 and the same was postponed to 11.08.2005 to consider the proposed vote of no confidence.

In view of the above said submission, no further orders are necessary in this writ petition.

The writ petition is accordingly disposed of with a direction to the second respondent to convene a meeting in accordance with law on 11.08.2005 to consider the no confidence motion against the third respondent. There shall be no order as to costs.

08.08.2004

kdl